cal order.

unless otherwise ordered.

shown to the court.

and leave granted in open court.

thereof on the appellant.

ordered by the court.

conclude the argument.

the argument begins.

the calendar, as the court may order.

as one case or more, as the court may order.

irrespective of its position on the calendar.

1. ENTRY OF CASES ON CALENDAR.

brought to or pending in the court, in their proper chronologi-

when all requirements for entering a case upon the calendar

have been complied with. If he fails to do so for ten days

after such requirements have been complied with, the appel-

lee may so notify the clerk. Upon receiving such notice the

clerk shall enter the case upon the calendar, and the party so

notifying the clerk shall forthwith notify the opposing party

that the clerk has been so notified. If such notice is given to

the clerk before all such requirements have been complied

2. CALL AND ORDER OF CALENDAR.

1. The court will call cases for argument or trial in the

order in which they stand on the calendar, except that cases

which have counsel on islands other than Oahu may be

grouped so as to be heard at one session and except as herein-

after provided. Twenty cases shall be considered as liable to

be called at each stated session. Sesssions will be held be-

ginning on the first Monday of each month during the term,

ceed when the case is called, the same will be heard, unless

otherwise ordered for good cause shown. If neither party

shall be ready, the case may be postponed or go to the foot of

3. If a case is called at two sessions, and upon the call at

4. Criminal cases, cases in which the Territory is con-

the second session neither party is ready to proceed, it may be

dismissed unless sufficient cause is shown for further post-

cerned and which also involve or affect some matter of general

public interest, cases once adjudicated by this court on their

merits and again brought up, writs of habeas corpus and ex-

traordinary writs, may be advanced by leave or order of the

5. Two or more cases involving the same question may, by

6. Any case may, by filed stipulation, be submitted on

7. Except as aforesaid, no case will be taken up out of

8. No stipulation or agreement of the parties to advance,

its order on the calendar or be set down for any particular

day except upon special and peculiar circumstances to be

pass or postpone a case, or to substitute one case for another,

shall be binding upon the court. A case may be so advanced,

passed, postponed or substituted only upon application made

3. BRIEFS.

be called for argument under the rules of this court, the ap-

pellant shall file with the clerk of this court three copies of a

printed or typewritten brief and serve a copy thereof upon

for argument, the appellee shall file with the clerk three

printed or typewritten copies of his brief and serve one copy

3. At any time before the first day of the session at which

the case is liable to be called the appellant may file a supple-

mental brief confined strictly to matter in reply to the brief

4. It will be a sufficient compliance with the foregoing

provisions of this rule if the briefs are deposited in the mail,

duly postpaid and addressed to the office address of the clerk

or opposing counsel, as the case may be, in time to reach

such address in due course of mail within the times limited in

rule, an appellant is in default, the case may be dismissed;

and when an appellee is in default, he will not be heard, ex-

cept on consent of his adversary or on call of the court.

6. In cases brought originally in this court, briefs shall be

filed on both sides at or before the argument, unless otherwise

7. When evidence is referred to in a brief the page or pages

1. The appellant or, in original cases, the petitioner, shall be entitled to open and conclude the argument of the case;

4. ORAL ARGUMENTS.

but when the questions on appeal arise solely upon demurrer,

or otherwise solely upon the pleadings, the order of argument

shall be the same as in the court below. When there are

cross appeals they shall be argued together as one case, and the plaintiff in the court below shall be entitled to open and

2. Not more than two hours on each side will be allowed for argument without special leave of the court granted before

5. REHEARING.

thirty days after the filing of the opinion or the rendition of

judgment unless by special leave granted during such thirty

days. It shall briefly and distinctly state its grounds and a

copy thereof shall be served upon the opposing party, who

within ten days from such service may file an answer. If the case has been remitted to the lower court, it may be recalled

6. MOTIONS.

be considered unless shown by the record or by affidavit.

1. All motions shall be reduced to writing. No facts will

2. A copy of the motion shall be served on the opposite

3. The motion day shall be the first day of each stated

4. Any motion of which notice shall have been given to

5. Not more than half an hour on each side shall be al-

6. There may be united with a motion to dismiss, a motion

lowed for argument of a motion, without special leave of the

to affirm on the ground that, although the record may show

that the case is properly before this court, it is manifest that

the appeal was taken for delay only or that the question in-

7. TRANSCRIPTS OF EVIDENCE.

the clerk in advance, shall be entered on the clerk's list in the order in which he receives such notice, and shall have

party not less than forty-eight hours before the hearing, unless

for the purposes of the petition for rehearing.

priority in that order before other motions.

volved is such as not to need further argument.

otherwise ordered by the court.

court before the argument begins.

A petition for rehearing may be presented only within

on which it appears in the transcript shall be stated.

When, according to the foregoing provisions of this

2. At least five days before the case is liable to be called

1. At least fifteen days before an appeal case is liable to

briefs without oral argument at any time during the term,

leave or order of the court, be heard together, to be argued

2. If the parties, or either of them, shall be ready to pro-

with, the case may be stricken from the calendar.

1. The clerk shall enter upon the calendar all cases

2. In appeal cases, the appellant shall notify the clerk

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session.

1. A suitable book shall be kept in the office of the clerk

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of the Supreme Court in which any party, desiring for use on appeal from a Circuit Court, or Judge, a transcript of the notes of evidence taken by a court stenographer in any case, may, after verdict or decision, enter his name, the name of the party he represents, the title of the case, the date of entry, and the name of the stenographer.

The clerk shall forthwith give notice of such entry to the stenographer who took the notes of evidence in the case.

The stenographer shall make and furnish the transcript with all reasonable dispatch in the order of such notice unless otherwise directed by a Justice of the Supreme Court or a Judge of a Circuit Court, and shall note on the transcript the date upon which it is furnished or tendered; and the name of the person to whom it is furnished or tendered; provided, however, that in cases in which the stenographer is entitled to payment for such transcript, he may within five days after receiving such notice request in writing the party who made the entry, to deposit cash, or furnish security, within ten days after such request, sufficient to cover the cost of such transcript, and unless such request is complied with within such time, such entry and notice shall be of no effect and the stenographer need not make such transcript; and provided further that after the stenographer shall have made any such transcript for which he is entitled to payment he need not furnish the same until paid for.

In case a party desires to make or procure a transcript or copy of the evidence without the aid of the court stenographer for use on any such appeal, he shall obtain from a Circuit Judge leave to file within a specified time such transcript or

Unless such entry is made or such leave is obtained within ten days after the filing of the notice of appeal or bill of exceptions or the petition for a writ of error, and unless such transcript or copy of evidence is filed within ten days after it is tendered by a court stenographer or within the specified time when procured without the aid of a court stenographer, such transcript or copy of evidence will not be considered by the Supreme Court upon such appeal, error or exceptions.

2. In cases tried in circuits other than the first, such entry may be made by the clerk of this court upon receipt of a written request therefor which shall have been deposited in the mail and properly postpaid and addressed to him within the time above prescribed for making such entry; and in cases tried in any such other circuit in which the evidence is taken down by a stenographer of the circuit court of such circuit, it will be sufficient if the clerk of the court of such circuit shall keep such a book and such entry shall be made therein and such notice thereupon given by such clerk to such stenographer.

8. BILLS OF EXCEPTIONS.

Bills of exceptions shall contain only such statements of facts or evidence and only such papers as may be necessary to explain the bearing of the rulings upon the issues or questions involved; undisputed facts shall be so stated, and not the evidence from which they are or may be deduced.

9. WRITS OF ERROR.

Cases brought up by writ of error, as well as those brought up by appeal or bill of exceptions, shall retain the title of the case below without reversing the order of the names.

10. COSTS.

1. Attorneys shall be liable for costs of court incurred by their respective clients.

2. Bonds for costs on appeal to the Supreme Court shall be made to the Clerk of the Judiciary Department, filed in the court from which the appeal is taken and forwarded by such court to the Supreme Court.

11. REMITTUR.

I. When a case is remanded to the lower court, an order or mandate to be signed by the clerk, remitting the case, shall be prepared and presented by the prevailing party within ten days after receiving notice of the decision, unless a petition for a rehearing shall have been filed, in which case, such order shall be presented within ten days after the final disposition of the petition for rehearing. If the prevailing party fails to comply with this rule,

the losing party may present such an order at any time thereafter. 2. Upon a remittitur, the bill of exceptions, notice of appeal, decision of the court, briefs of counsel, and all original papers filed in the Supreme Court, shall, unless otherwise directed by the court, be kept in the files of the Supreme Court. The other papers shall be returned to the lower court.

12. PAPERS.

No paper shall be taken from the files of the court except by permission of the court or a justice thereof.

13. LIBRARY.

No book, pamphlet or magazine shall be taken from the Library of the Supreme Court (except for use in the Supreme Court or in the Circuit Court of the First Circuit) without the permission of a Justice of the Supreme Court or a Judge of the said Circuit

APPEALS FROM DISTRICT COURTS.

District Magistrates in all cases in which appeals have been taken and perfected from them to the Supreme Court, shall forward without delay to the Clerk of the Supreme Court a certificate of appeal, stating the nature of the action, the decision made, and the points of law upon which the appeal is taken; also, the original summons or warrant, all vouchers and exhibits filed, and a transcript of the testimony; also, all costs paid by either party to the action, with a clear and itemized statement showing by whom, and the purpose for which, each amount is paid, keeping back nothing but statutory fees and mileage, and stating explicitly

DEFENSE OF TITLE IN DISTRICT COURTS.

Whenever, in the District Courts, in defense of an action of trespass, or a suit for the summary possession of land, or any other action, the defendant shall plead to the jurisdiction in effect that the suit is a real action, or one in which the title to real estate is involved, such plea shall not be received by the court, unless accompanied by an affidavit of the defendant, setting forth the source, nature and extent of the title claimed by defendant to the land in question, and such further particulars as shall fully apprise the court of the nature of defendant's claim.

16. ADMISSION TO THE BAR.

1. Each applicant for admission to the bar shall file with the clerk an application setting forth his name, age, nationality, last place of residence and the character and term of his study. Sufficient certificates of the applicant's good moral character, and, if he is a member of the bar of any other court, the certificate of

admission to such bar, shall accompan the application. 2. No applicant who is not a member of the bar of the highest court of some other state, territory or country, will be admitted or examined for admission to practice in this court unless, as a part of his preparation, he shall have studied diligently at least two years in a law school or the office of a competent attorney, or partly in such school and partly in such office.

High Sheriff Asked To Stop Sabbath Day Theatrical.

The Board of the Hawaiian Evangelical Association held meeting yesterday afternoon in its rooms in the Boston Building and among other business pass ed the following resolution asking the interference of the High Sheriff in regard to some too boisterous Japanese who are disturbing the Sabbath,

The resolution reads as follows:

The Board of the Hawaiian Evangelical Association hereby calls the attention of High Sheriff A. M. Brown to the violation of the Sunday Laws of the Territory by Japanese showmen in maintaining upon the Sabbath, so-called theaters (Shibai) and in disturbing therewith the public worship of God on the part of peaceable citizens. A very flagrant instance of this abuse occurred last Sunday, the 26th day of August, at Kakaako, Honolulu. The Board respectfully petitions the High Sheriff to put an end to this abuse.

By the Board of the Hawaiian Evangelical Association, P. C. JONES,

President. REV. DOREMUS SCUDDER, D.D., Honolulu, September 2, 1904.

A petition to the Senate of the United States regarding the status of affairs in Kongo under the rule of Leopold II, and asking for an investigation into the slavery and inhuman government said to be therein practiced. The petition, a copy of which is also to be forwarded to the House of Representatives, is as

Petition of the Board of the Hawaiian Evangelical Association,

Whereas on the 19th of April, the Senate of the United States assembled in the 2nd Session of the 58th Congress ordered to be printed a "Memorial Concerning Conditions in the Independent State of the Kongo," presented by Senator Morgan, and referred the same to the Committee on Foreign Affairs, and Whereas the Independent State of the Kongo came into being by act of an assembly representing all the nations of the Western world upon the reiterated representation of its promoters that the proposed State was not to exist for the exploitation of the resources of the country but for the express benefit of the

Whereas the United States Government on April 22, 1884, recognized the International Association of the Kongo on the basis of its "humane and benevo-

lent purposes," and
Whereas this action of the United
States proved determinative of the international status of the movement to found the said International State by leading the way to a conference of fourteen States including the American Govern-ment in January, 1885, at which definite sanction was given to the establishment of a free state in the basin of the Kon-

Whereas six months later on August 1, 1885, the Independent State of the Kongo was constituted with Leopold II as sovereign and sole administrator, and, Whereas the said memorial supports with reputable testimony the allegation that the said Independent State has for years been and is now practicing the grossest outrages upon the people, is reducing many of them to a condition of

one on the left."-Town Topics.

GRIPCONVALESCENCE

There's nothing better than Scott's Emulsion after the grip. When the fever is gone the body is left weak and exhausted; the nervous system is completely run down and vitality is low.

Two things to do: give strength to the whole body and new force to the nerves. Scott's Emulsion will do it; contains just what the wornout system needs.

Rich blood, healthy flesh, resistive force, more and better nourishment are what Scott's Emulsion supplies to the convalescent.

Scott's Emulsion is the original and has been the standard emulsion of cod liver oil for nearly thirty years. Why buy the new, untried, cheap emulsions or so called wines, cordials and extracts of cod liver oil, when you can buy what is sure to help you?

We'll send you a sample free upon request, SCOTT & BOWN L, 409 Pearl Street, New York.

Are your friends getting fair? Is there life and no gray in their hair?

If so they are using

Hick's Freckle Cure and Hair Restorer.

Sold by MISS WYNN, Hair Dressing Pa.lor, Richards street,



Quality Guaranteed

"Splendid fruit," remarked a man to his wife at the lunch table. "I wish you would alwavs get this brand."

He referred to the "Palace" Housewives will find a great difference in the different

brands of canned goods. For instance: "Palace" or "Epicurean" fruits or vegetables are always uniform in quality and size and that quali-

ty the best. "Palace" or Epicurean goods can be bought at almost any grocery and if they do not prove the best you ever had the grocer will return your money and charge the goods to

E. J. WALKER,

Wholesale Agent

A Wonderful Discovery

ducing many of them to a condition of slavery and is ruthlessly exploiting the resources of the country.

Therefore; Resolved that the Board of the Hawaiian Evangelical Association assembled in regular meeting hereby unanimously petitions the Senate of the United States thoroughly to investigate the charges made against the authorities of the Independent State, and if they be found sustained, to exert all its influence to secure just and humane government to the native people of the Independent State of the Kongo.

By the Board of the Hawaiian Evangelical Association.

P. C. JONES, President.

REV. DCREMUS SCUDDER, D.D., Secretary. Honolulu, T. H., Sept. 2, 1904.

The Reverend Jehn L. Hopwood of Kamehameha was elected a corresponding member of the board and placed on the Hawaiian committee.

Mrs. d'Avnoo—'I advertised for a secondary and is ruthlessly and is ruthlessly and is ruthlessly exploiting the research and experiment, when all nature, so to speak, is rannacked by the collegan, the scientife for the comfert and experiment, when all nature, so to speak, is rannacked by the scientific for the comfert and experiment, when all nature, so to speak, is rannacked by the scientific for the comfert and experiment, when all nature, so to speak, is rannacked by the scientific for the comfert and experiment, when all nature, so to speak, is rannacked by the scientific for the confert and experiment, when all nature, so to speak, is rannacked by the scientific for the confert and experiment, when all nature, so to speak, is rannacked by the scientific for the confert and experiment, when all nature, so to speak, is rannacked by the scientific for the confert and experiment, when all nature, so to speak, is rannacked by the scientific for the confert and experiment, when all nature, so to speak, is rannacked by the scientific for the confert and experiment, when all nature, so to speak, is rannacked by name all nature, so to speak, is rannacked by name all nature, so to speak, is rannacked by name all nature, so to sp Mrs. d'Avnoo—"I advertised for a French nurse." Applicant—"Oi hov been in France, mum." Mrs. d'Avnoo—"Not very long, I guess." Applicant—"Oi hov boy been in France, mum." Mrs. d'Avnoo—"No, mum; Oi only stayed long enough to get the accint."—New York Weekly.

ostentation and noise have been made, and the extensive and ever-increasing demand that has been created for this medicine wherever introduced appears to prove that it is destined to cast into oblivion all those questionable remedies that were formerly the sole reliance of medical men. Therapion may be obtained in England, direct from the proprietor, and of the principal Chemists and Merchanis throughout the Colonies, India, China, Japan, &c.—Diamond Fields Advertiser, Kimberley.

First mosquito-"I feel like a Scotch | Mrs. Holder-"Why, John, why aren't high-ball." Second mosquito-"Me for you reading evening paper. Holderrye." First mosquito-"Then you take "On account of my conscience. I found the man on the right and I'll take the an umbrella today, and I'm afraid I'll

see it advertised."-Chicago News.

3. No person who is not a citizen of the United States will be admitted unless he shall have bona fide declared his intention to

become a citizen in the manner required by law. 4. No applicant whose application has been denied shall apply

again for admission within one year thereafter.

17. DEFINITIONS. Within the meaning of the rules of this court, whenever appropriate, appeal cases include cases brought up on bill of exceptions or writ of error; "appellant" and "appellee" include the plaintiff and defendant in error respectively; and "party," "appellant" and "appellee" and other words denoting the parties include their

The foregoing rules are hereby prescribed, to supersede all previous rules except those relating to grand juries. By the Court:

> GEORGE LUCAS. Clerk.

Honolulu, T. H., September 2, 1904.